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By ECF

Hon. Paul A. Crotty
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Joshua Schulte*, 17 Cr. 548 (PAC)

Hon. Judge Crotty:

CIPA section 5 requires a defendant to provide pretrial notice to government counsel of any plan to disclose classified information at trial. As this Court is aware almost all of the discovery in this case is classified. Given that CIPA section 5 requires us to provide notice that is particularized and tell the government what Mr. Schulte “reasonably expects to disclose or cause the disclosure of,” we ask the Court to allow us to serve notice on walled counsel for the time being.

Requiring Mr. Schulte to provide such notice to the case/trial team now would prematurely force him to reveal details about his defense strategy at trial in violation of his Fifth Amendment due process rights and Sixth Amendment right to an effective and meaningful defense. Of course, should the Court decide that notice is properly served on the DOJ case/trial team, the defense would comply with the Court’s ruling.

Thank you for considering this request

Respectfully submitted,

/s/ Sabrina Shroff/Edward Zas/Allegra Glashausser
Counsel for Joshua A. Schulte

cc: All Counsel